

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-cr-30007-MAP
)	
ANN MARIE CZAPLICKI,)	
Defendant.)	
)	

THE GOVERNMENT'S MOTION FOR AN ORDER OF EXCLUDABLE DELAY
(Assented to)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, respectfully moves for an order of excludable delay under the Speedy Trial Act, 18 U.S.C. §3161(h)(8). In support of this motion the government states that on or about October 20, 2004, counsel for Defendant, Attorney Judith Knight, notified the government and the Court, that the Defendant needed more time to prepare for her guilty plea. The government did not object to the Defendant's request to continue the hearing date until January 18, 2005. On or about January 16, 2005, Attorney Knight and the undersigned U.S. Attorney agreed to a brief further continuance, in part due to the Court's schedule, and also in part to allow the parties in this case to fully consider the implications that the Supreme Court's decision in United States v. Booker may hold for the Defendant. United States v. Booker, Nos. 04-104, 04-105, 2005 WL 50108 (Jan. 12, 2005).

The Defendant, through her counsel, Attorney Knight, has assented to the government's request to exclude this time.

It is in the best interests of the Defendant, the government, and the public, to exclude the time from October 22, 2004 until February 7, 2005, from the period within which the trial of this case must commence under the Speedy Trial Act.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: s/ Paul Hart Smyth

Paul Hart Smyth
Assistant U.S. Attorney

Dated: January 30, 2005

CERTIFICATE OF SERVICE

Hampden, ss.

Springfield, Massachusetts
January 30, 2005

I, Paul Hart Smyth, Assistant U.S. Attorney, do hereby certify that I have served a copy of the foregoing by mail by February 1, 2005, to Attorney Judith Knight, 342 Main Street, Great Barrington, MA, 02130.

S/ Paul Hart Smyth
Paul Hart Smyth
Assistant U.S. Attorney

